

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

HIKVISION USA, INC.

Petitioner,

v.

FEDERAL COMMUNICATIONS
COMMISSION and UNITED
STATES OF AMERICA,

Respondents.

Case No. 23-1032

HIKVISION’S STATEMENT OF THE ISSUES

Petitioner Hikvision USA, Inc. (“Hikvision”) submits this nonbinding, preliminary statement of the issues to be raised in this case:

1. Whether the Federal Communications Commission exceeded its authority under Title III of the Communications Act with respect to regulating the interference potential of devices which in their operation are capable of emitting radio frequency energy;
2. Whether the Federal Communications Commission exceeded its authority under the Secure Equipment Act in extending that Act to reach equipment not used in the provision of advanced telecommunications capability;
3. Whether the Federal Communications Commission’s Order is arbitrary, capricious, an abuse of discretion, otherwise not in accordance with the United States Constitution or law, or is unsupported by substantial evidence.

March 16, 2023

Respectfully submitted,

/s/ John R. Grimm

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CERTIFICATE OF SERVICE

I certify that on this 16th day of March, 2023, the foregoing statement was filed via CM/ECF. Service was accomplished on all parties or their counsel of record via CM/ECF.

Respectfully submitted,

/s/ John R. Grimm

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